App. F.IX-4

1927-28
(Law)

File No. 21-27

Serial Nos. 748

Previous References

Legi 48-25, 1-2
11 Sep. 31-26

Later References

General and Revenue Secretariat.

Serial Nos. 2.

Part B for Jan/1928

SUBJECT

Remuneration to pp for supporting convictions in Criminal appeals.

mn 8 p. 70 55-66 p 28-5-28

passes the Bills of the P.P. supported with certain observations

B. Gyan/ms
18/2/28

G. R. S. III—3]

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

27)

Letter no L Dis/no 7—27 from D.C Mysore requesting recommdn of Govt. order in PS 345—52 Dgts to 8—25—2 d 19/23 April 1926 in the matter of bills of P. Prs, Mysore for professional dues in connection with Dacoity case on 5th April 26

Subd The records are not available the branch pbs are searched

Mbbc
1/8/27

2)

The file was found. The public prosecutors claim was reconsidered and the Govt. decided the claim to be inadmissible for orders if question may be reopened

Mbbc
1/8/27

Reference re remuneration given to P.Prs Shimoga are not available in D. Dn, Mysore, Draft sub asking to give rate and date

Mbbc
5/8/27

4)

6/8

Issued P&Co d 6/8/27. requesting to give rate and date of G.O re remuneration to P. Prs Shimoga alluded to in his letter

Secy.

N. B.—Should routine notes be written on small slips the notes must be copied, or slips pasted on this form.

General and Revenue Secretariat. | File No: of 192

Serial No.

From the District Magistrate - Mysore
no Gl 7—27 d 5-9-27, forwards copies of letters from P.Ps explaining the statements in para 4 and 5 of his application

5 Subd. The P.P. Mysore in his letter states that P.P. Shimoga received remuneration as per rule when existing and that after he submitted his bill Govt amended the rule and that prospective effect should not be given to the amendment. He also forwards a letter from P.P. Shimoga giving nos of Criminal appeals in which he claimed & got remuneration. His orders if the matter can be reopened as the Govt have decided the claim to be inadmissible.

Mc
10.9.27

AM 12/9

6 Please find out if the bills of the Shimoga P.P. were sanctioned by us

12/9

Submitted to Asstt — for
Court section file headings.
Searched. No reference available
Requested more time to work up at camp.
Time granted
Mc
19.10.27

Subd. The file headings of Court section and Legislation were searched for the period between March 24 — April 26 and no references are available. There is no mention of P.P. Shimoga's bills. As stated by P.P. the bills were perhaps allowed by D.C. without Govt sanction. The point for orders whether question may be reopened. D.C. may perhaps be addressed.

Mc
17.10.27 AM 18/10 Secy (Jud) 18/10

NOTE—Contn. sheet

WD 0324 -GPB—60,000—24-5-27

Vol II 2473 1386 196 4

General and Revenue Secretariat. | File No. of 192

Serial No.

To The Dr magistes of Shimoga,
Kadur & Chittaldrug
Nop 2126-8 D 28.10.27
Requests to furnish detailed particulars for the period between March 1924 & April 1926

Fors. 31/10 15) Remyder Subd
Maa
14.11.27
Asst 14/11

Fors
28
16/11

Nos 2539-4 dt 16/11/27

No L. Des 1268/1927-28 d 17-11-27 from D.M; Kadur States Matbills of P.Pr Shimoga in respect of the cases noted in the margin were passed by his Office and sent to Comptroller and Sanction of Govt was not applied for.

16) Subd for perusal Replies fm D.M, Shimoga & Chitaldroog may be awaited
Maa
19.11.27.
Asst 19/11

EDS
28
20/11.

From D.C. Kadur, States informals was sent in Lett no 1268/27-28 d 17-11-27.

Fors 4 21/11

From D.C. Shimoga no J.1-138/27-28 d 20.11.27, States that information will be furnished on receipt of the same from P.Pr, Shimoga

NOTE—Contn. sheet

17) Subd for perusal
Maa
29.11.27. Asst 29/11

WD 0324—GPB—60,000—24-5-27

General and Revenue Secretariat. | File No. of 192

Serial No.

Flag Y.

D. C. Ishtaldrug States that two bills sent by P.P.r were forwarded to Comptroller for payment and were returned to P.P.r duly passed for payment.

Flag Z.

D. C Shimoga forwards a list of cases in which fee was allowed for supporting convictions in criminal appeals. He States that the bills were countersigned and returned to P.P.r and that it is on the bill was presented for being cashed. From the date of amendment of the Rules no amount was allowed to him.

From the above brief precis of the information collected with reference to Members orders at para 12 it is clear that before the rules were amended payments have been made by the Deputy Comrs of the 3 districts in respect of criminal appeals. Sanction of Govt is for orders whether the claim of P.P.r, Mysore, in respect of similar cases for the same period before amendment of rules may be reconsidered again as it has been disallowed before. The references are not complete, please put up all the files & references relating to this file No 48 of 25.

Hogs T.W.

20) Head 22/12/27

22/12

Yl Branch has been requested to send back NOTE—Connected papers regarding Other files are in this.

Received 16.1.28 Returned 18.1.28

Returned 19/1/28.

WD 0324 -GPB—60,000—24-5-27

925 7

App. F. III—2]

General and Revenue Secretariat. | File No. of 192

Serial No.

21) Subd the reference required — comb^ge has not been sent by the H Branch though a requisition has already been sent and I have personally reminded also this may perhaps be sent to H Branch to put up the ~~expenditure~~ the reference and Secretary Subd for orders

Ch's file 76-23 SS 1-13 Hang 9

A.G.H 2/45/27

8/2

Meek 8/2/28. V — To the Fin' Branch for Remks — putting the file referred to — ch's 76-23 SS 1-13

Subd Bringing up at once. What is not the file sent? MV

8/2

ASR 8/2

NOTE—Contn. sheet.

WD 0324 -GPB-60,000-24-5-27

2925

8

G. R. S. III—3]

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

~~Submitted~~

23 Counsel's file 764 of 1923 is stated to have been put up for reference to L 1668 which was sent to this Branch on 15.10.27. There is no entry in the U.O. paper to show the disposal of L 1668 dated 13.10.27 from this Branch. A search was made for the file but not yet traceable. A further search will be made after the return of the case-brother from leave, i.e. on 1.2.28

29.12.27

10.2.28 The Counsel's file was not yet traceable

Law 11/2

N. B.—Should routine notes be written on small slips the notes must b cipoed, or slips pasted on this form.

General and Revenue Secretariat. | File No. | of 192

Serial No.

27) Sir, I, if D.C Nagpur had adopted the incenser Cense adopted by the other Dts, the Compts we have passed these bills also the rules have since been clarified so that there wd be the only case left. In these cases, it wd seem best to pass these bills as a special case, if any sense can be pointed out. Please consult Fin Secy also.

Ldc
20/2

H 2361
24-2-28

Fin Secy
with Compts

21/2

28) The amount involved is Rs 877-10-8.

Fin Secy) 24/2

29) I fully agree in the views expressed in the Members minute.

30) Finance Member is undesirable

7370/9/27

NOTE—Contn. sheet

31) Ordered

7.3.28.

WD 0324—GPB—60,000—24-5-27

2925

92

App. F. III—2]

General and Revenue Secretariat. | File No. | of 192

Serial No.

To The Comptroller
No 5451 D 20.3.28
Requests to intimate the amount remaining unspent out of the allotment under Law Officers - Fees to Advocates & other Law Charges in the Current Years Budget

Fees Mahoe 20/3

From the Comptroller no T.A.D.A. 1426 d 5-4-28 States that there is only a balance of Rs 18-8-4- and that 8 bills of Rs 16 each sanctioned in G.O. 8 9-3-28 have been kept in abeyance pending sanction to an additional grant and requests early sanction for the same

38) Subd for perusal The Financial Secretary may perhaps be consulted whether an additional grant may be sanctioned or whether any re-appropriation is possible

39) An additional grant has perhaps to be asked for at the June session of the L.C for meeting the charges in question The G.O. dated 9/3/28 may be cancelled -

AAR 12/4 40) Please ascertain the bills with reference to the dates countersigned by the Sessions Judge and the scale of fees prescribed in the Rules.

M 13/4

NOTE—Contn. sheet.

Law 13/4

WD 0324--GPB—60,000—24-5-27

General and Revenue Secretariat. | File No. | of 192

Serial No.

52) Para 2 of the draft G.O. has been revised in accordance with the Fd. Secy's suggestion—

Re the Members remarks marked 'A' it is submitted that the bills proposed to be sanctioned do not contemplate any provision Rysom Taluk by Separation Case—

9462/14/5

Secy 12/5 11/5

53) 12/5

15/5

10/5.

54) 15/5

Fd. Conf. 2092/29.5.28

) The G.O. is accordingly issued for Financial Secy's approval. Draft thereof below.

14/5

30/5

Communicated

56) Letter No: 2287 dated 21st June 1928 from Comptroller stating that no special provision for payment of Rs 1044-5-4 to the P.P. requires as per G.O. No P 7085—64 dated

NOTE—Contn. sheet

L 6102/15
4957

App. F. III—2]

General and Revenue Secretariat. | File No. of 192

Serial No.

has been made in the next year's budget under 18 Courts of Law. 2- Law officers etc as the G.O was received too late in Comptroller's Office.

(57) The Comptroller states that since the G.O. in question was received late in his office, the necessary provision which could not be made in the next year's budget. Perhaps, this has to be remedied by a reappropriation from the sums submitted in the Courts' budget for the current year.

DMP 23/6/28 — the F. Branch may perhaps be consulted. Regd. H. Secy's note dt. 7.5.28.

Secy) 2/6

18635/28/6

(58) Yes

Dy. Secy. 25/6

H. Dept.) 25/6

(59) The revised is 10,81,500 as against the Budget 10,94,000. The required amount may be re-appropriated.

Secy) 22/6

(60) The Comptr. may be asked to say if the expenditure can be met out of the current year's allotment.

NOTE—Contn. Sheet.

WD 01714—GPB—30,000—18-4-28

6102

16

App. F. III—2]

General and Revenue Secretariat. | File No. of 192

Serial No.

R 4077

D 28/6/28

(61) As 30th inst. is the only working day left it may not be possible to get the information required in time from the Comptroller to enable the Public Press to draw the remuneration during the current official year even if funds are available.

(62) [illegible]

(63) I think the harmonium may [illegible]

(64) For pensal. If the current year's grant for "Fees to Advocate & other Law Charges" is found to be inadequate, it will have to be supplemented by reappropriation or by an additional grant in due course.

× Rs 1800.

(65) [illegible]

NOTE—Contg. Sheet.

WD 01714—GPB—30,000—18-4-28

Remuneration to P.Pr Mysore for work done under the 41 of the Legal affairs Rule,

App. F. III—2].

General and Revenue Secretariat. | File No. | of 192

Serial No.

Letter No: TAD-A-Gr. II-24 dated 14th July 1928 requesting the three bills of the P.Pr Mysore Counsel mentioned in G.O. P 7035 64 Laws dated 28-5-28

(64) The comptroller wants the three bills.

maybe separated & sent.

They are in file Legis-68-25 Serials 1 & 2, kept below - He also wants the source from which the charges to be met to be pointed out This has to be met from ~~an appropriation~~ from the Contd out of the provision under Fees to Advocates & other law charges budget of the current year Ref.ce: Paras 63. If approved, the Comptroller will be informed accordingly. Any additional provision under the head required, which may be found necessary later on may be made by placing a supplementary demand before the Legis Council

Draft accordingly.

17/7

17/7-28 17/7

Laws 17/7

Draft herewith put up

18/7/28

(65) The forwarder of the letter to the Comptroller may be sent through the Jnl Secy, as in the draft

Secy)

17/7

(66) Yes

To the Comptroller

No P 523 dt 20.7.28

(67) States that the charges may be met out of the provision under Fees to Advocates & other Law charges in the current year's Budget & that an addl provision under the head which may be found necessary later on will be made by placing a supplt demand before the Legis Council.

NOTE—Contn. Sheet.

WD 01714—GPB—30,000—18-4-28

Land 21 of 271

App. F III 2].

General and Revenue Secretariat. | File No. of 192

Serial No.

Letter No: 57/28-29 dated 20th March 1929 from PAR requesting that his three bills sanctioned as per G.O.P. 7055-64 Land dated 28-8-28 may be sent to the Comptroller as early as practicable.

(68 The bills have already been sent to the Comptroller with this office No P523 dated 20-7-28. A draft of a letter to the P.R. regarding the same is put up for approval

Issued
23/7

23/7/28

To the P.R. Mysore
No P595 dt 23.7.28
I have the Bills have been forwarded to the Comptroller for audit

Note—Contn. Sheet.

FD 01714—GPB—30,000—16-4-28

NO. 1-2/

926/P

Office of the Deputy Commissioner,
Mysore District,

Dated, Mysore, 7th July 1927.

From

A.V. Ramanathan, Esq., B.A.,

Deputy Co missioner, Mysore District.

To

N. Madhava Rao, Esq., B.A., B.L.,

Chief Secretary to the Government
of Mysore, B a n g a l o r e.

Sir,

In submitting herewith an application from the Public Prosecutor Mysore Division praying for a reconsideration of the order of Government in P. 5345-52 Legis. 48-25-2 dated 19/23rd April 1926 in the matter of his bills for remuneration due to him for professional services rendered from March 1924 till April 1926 in Criminal appeals before the Court of Session Mysore, I have the honour to state that the order of Government may kindly be reconsidered in view of his representations in paragraphs 4 and 5 of his application.

I have the honour to be,

Sir,

Your most obedient servant,

For District Magistrate

Mysore District.
(Absent from Station)

S.G.

I beg leave to bring to the notice of Government that the Public Prosecutor of Shimoga Division has claimed and received seperate remuneration for services rendered by him in Criminal appeals during the period under reference, namely, between March 1924 and April 1926.

5. Therefore while abiding by the rules as now modified, I pray that the order may be reconsidered and my bills for services rendered in Criminal appeals between March 1924 and April 1926 may be ordered to be passed under the rules as they actually were during the period and thereby extend to me the same privilege which the Public Prosecutor of Shimoga Division has enjoyed.

Forwarded for consideration in favour of para 4 above

No. 1434

I have the honour to be,

Sir,

Your most obedient servant,

M. Srinivasa Ayengar

Public Prosecutor, Mysore.

From

The Public Prosecutor,

Mysore Division,

MYSORE.

To

The Government of His Highness the Maharaja of Mysore.

Through

The District Magistrate,

MYSORE.

Dated 25th June 1927.

No., 588 of 26-27.

Sir,

I have the honour to acknowledge receipt of order number P. 5345/52 Legis 48-25-2 dated 19th/23rd April 1926 in the matter of my bills for remuneration due to me for professional services rendered from March 1924 till April 1926 in Criminal appeals in the Court of Sessions, Mysore. I beg leave to submit for the consideration of Government the following points arising from the above referred Government order and to request that the question may be reconsidered.

1. My bills have been disallowed on the ground that the omission to refer to Rule 41 in Rule 55 was evidently due to an oversight and that it was not intended by the revised rules of 1924 to alter in any way the rules that existed from 1904.

2. It may kindly be noticed that under Rule 56 a Public Prosecutor became entitled to seperate remuneration for all his duties, except those detailed in Rule 40. Now that the rules have been amended, I would, of course, not be entitled to seperate remuneration for services under Rule 41.

3. I would respectfully desire kind consideration of the view that my claims have to be judged as per the rules as they existed and not, if I may say so, according to the rules that were deliberately revised in 1924.

APP. F. VI. Gl.]

SUBJECT.....

.....

.....

Section

File No.

Serial No.

No. 1860

Diary No. of letter replied to.....

To

The D. C.

Mysore

General and Revenue Secretariat

( )

the 192

Sir

Date of issue 6/8/27

Signed by M. [illegible]

With reference to your letter no L dis G no 7-27 d 7 July 1927 forwarding application no 588 J. 26-27 d 25 June 1927 from P. P., Mysore, re remuneration for services rendered in criminal appeals between March 24 and April 26, I am directed to request you to intimate the dates and nos of G. O.s sanctioning the similar remuneration to P. P. Shimoga alluded to in paras 2 and 3 of the application

List of enclosures.....

I have &c

Copied by [illegible] 6/8

Examined by.....

Secy to Govt

Revenue Dept

over

MBC 5/8/27

WD 01265—GPB—1,000—24-12-25

Upd 578

4 1386/P827

No.Gl-7-27

Office of the District Magistrate,
Mysore District,
Dated Mysore, 5th September 1927.

From

A.V. Ramanathan, Esq., B.A.,
District Magistrate, Mysore District.

To

B. Nagappa, Esq., Bar-at-law.,
Legal Remembrancer and Secretary to
Government, Law Department, Bangalore.

Sir,

Application of the Public Prosecutor Mysore Division for remuneration for services in criminal appeals.

- - - - -

8-11-8/9 L 8.9

With reference to your No.J.860/Law dated 6th August 1927 requesting for information regarding the dates and numbers of Government orders sanctioning ~~xx~~ similar remuneration to Public Prosecutor Shimoga alluded to in paras 4 and 5 of the application submitted by the Public Prosecutor, I have the honour to forward herewith copy of letter No.112/27-28 dated 21st August 1927 and No.141/27-28 dated 30th August 1927 from the Public Prosecutor explaining the statements in paras 4 and 5 of his application No.588/26-27 dated 7th July 1927.

I have the honour to be,

Sir,

Your most obedient servant,

A V Ramanathan

For District Magistrate,
Mysore District.
(ABSENT FROM HEAD QUARTERS)

From

The Public Prosecutor,

Mysore Division, M Y S O R E.

To

The District Magistrate,

Mysore District, M Y S O R E.

Dated 21st August 1927.

No., 112 of 1927-28.

Sir,

I have the honour to acknowledge receipt of your communication no., G 1. 7-27 dated 13-8-27 but received by me only on 17-8-27. On 17-8-27 I was absent from the Head quarters and was engaged in the conduct of the prosedution of two Sessions cases at Hassan. I returned from Hassan on the night of 19-8-27.

In answer to the above, I wish to inform you that when I stated in para 4 of my application no., 588 of 26-27, that the Public Prosecutor of Shimoga has claimed and received seperate remuneration for services rendered in Criminal Appeals, I meant that the said Public Prosecutor as per rules then existing, that is, between March 1924 and April 1926, submitted bills as occasions arose and was paid seperate remuneration, as per bills submitted from time to time, on the strength of the countersignatures of both the Sessions Judge and the District Magistrate relying upon the interpretation of the rules then in force. It was only after I submitted my consolidated bill, that Government thought fit to amend the rule and include the upholding of convictions as part of the duties of a Public Prosecutor for which seperate remuneration was not to be claimed. So relying upon the personal information given to me by the Public Prosecutor of Shimoga, while he met me here during the last midsummer vacation. I thought it fit to bring the same to the notice of Government, as being a circumstance to view with favour my claim for seperate remuneration and to extend to me the same privilege. No Government order was necessary for claiming seperate remuneration for Criminal Appeals, as per the rules framed for the conduct of the Legal affairs of Government, Vide Government order No., P. 4966-5045 cts 76-23-1 dated 10th-19th March 1924. According to the above Government order, Rule 55 was that the salary of a Public Prosecu-

cutor will be Rs 200-50-300 per month for his duties under Rule 40. Rule 40 is to the effect that as Public Prosecutor they will conduct all prosecutions before Sessions courts. Again Rule 56 clause (1) clearly stated that a Public Prosecutor will be entitled to fees for other duties. Thus as per the above rules, Public Prosecutors were clearly entitled to claim seperate remuneration for services rendered in Criminal Appeals, referred to in Rule 41. Thus what the Public Prosecutor of Shimoga Division, naturally and correctly did was to send up bills for services rendered in Criminal Appeals, as the said appeals were heard and disposed of. These bills would of course be countersigned by the Sessions Judge in the first instance and thereafter by the District Magistrate, namely, the officer who required him to appear in support of the conviction. After securing the countersignatures of the above two officers, the Public Prosecutor of Shimoga, as he gave me to understand, would send the bills as occasions arose, to the Comptroller for sanctioning payment. This was done without any manner of objections. It was only when I submitted a consolidated bill for all the services rendered by me in Criminal Appeals both of the Districts of Mysore and Hassan, and when the said bills were forwarded to Government, Government seem to have found out that as the result of an oversight, the duty of upholding convictions detailed in Rule 41, was not included in Rule 55 and therefore ordered that Rule 55 would be amended so as to include in Rule 55 the duties detailed in Rule 41 and 46. My submission is that retrospective effect may not be given to the amendment, and that I might be paid for services rendered by me in Criminal Appeals, as per bills already submitted, in accordance with the rules that were in operation, till the date of amendment, namely, as per Government order no., P. 5345/52 Legis 48-25-2 dated 19th/23rd April 1926. If Government should be inclined to test the correctness or otherwise of my statements, based as it is upon the personal information conveyed to me by the Public Prosecutor, Shimoga, a communication to the Public Prosecutor of Shimoga, will, I daresay set the matters at rest.

I have the honour to be,

Sir,

Your most obedient servant,

M. Srinivasa Aiyangar

Public Prosecutor, Mysore.

OFFICE OF THE DEPUTY COMMISSIONER
No. 5370
22 AUG 1947
DISTRICT

From

M. Sreenivasa Iyengar Esq., B.A., B.L.,

Public Prosecutor, Mysore Division,

MYSORE.

To

A.V. Ramanathan Esq., B.A.,

District Magistrate, Mysore District,

MYSORE.

Dated 30th August 1927.

No., 141 of 1927-28. Enclosure:-One.

Subject:- Reconsideration of my application to Government for being paid seperate remuneration for services rendered in Criminal Appeals between March 1924 and April 1926.

Sir,

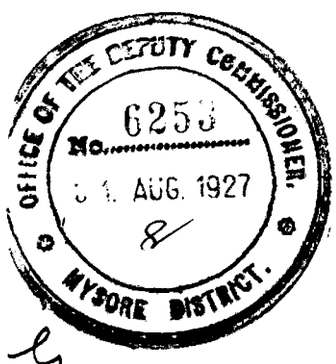
In continuation of my office letter no., 112 of 1927-28 dated 25-8-27, I have the honour to enclose herein, copy of the letter, I got ~~g~~ from Mr. N. Shesha Sastri, Public Prosecutor of Shimoga Division for your kind information, with a request that the same may be forwarded to Government, in support of my allegation that the Public Prosecutor of Shimoga Division, has been paid seperate remuneration for services rendered by him in Criminal Appeals.

I have the honour to be

Sir,

Your most obedient servant,

Public Prosecutor, M y s o r e.



31-8-27

APP. F. VI. Gl.]

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

Section

File No.

Serial No.

No. Paras 8 one to each

General and Revenue Secretariat

( )

the 192

To

To the D. M. of

Shimoga, Kadur

& Chitaldrug.

Date of issue 28/10/27

Signed by M. V. S.

Please type copy of letter
Reg Li.

Sir,

I have the honour to enclose herewith Copy of a letter from the P.P.r Shimoga to P. Prs Mysore No 5-3 28th August 1927 stating that separate Remuneration for Supporting Convictions in Criminal Appeals under rules 5-5 and 5-6 and that his claim was allowed by the District Magistrate, and to request that detailed particulars may be furnished regarding the matter, as to when the claims were made and further amounts who allowed the claims, and whether the bills were paid by Govt. or by Municipal Authorities or were submitted

After rules for the conduct of the legal affairs of Govt

List of enclosures.....

Copied by.....

Examined by .....

~~Whether the~~ for the Sanction of Govt ~~to Hammond~~
~~claim should be paid~~

An early reply ~~to the~~
Treasury is requested for
~~submission of Govt~~

Hammond

6/27/16

Secy to
Law Dept

Mills
26/6/17

Apr 25/19

The period for which
the information is required
is between March 1914
and April 1916.

9 2473/27

WD 2332—GPB—450—5-8-22

D. M 31

Office of the District Magistrate
Kadur District.

L.Dis.1268/1927-28. *Chikmagalur, dated* 17th November 1927.

From

H. V. Ramasvami, Esq., M.A., B.L.,

DISTRICT MAGISTRATE
KADUR DISTRICT.

To

B. Nagappa, Esq., Bar-at-Law,

SECRETARY TO THE GOVERNMENT OF
HIS HIGHNESS THE MAHARAJA OF MYSORE,
Law Department, BANGALORE.

SIR,

Remuneration to the Public Prosecutor for supporting convictions in criminal appeals.

=====

With reference to your letter No. P.2126-3/Law dated the 28th October 1927, calling for particulars regarding the remuneration paid to the Public Prosecutor, Shimoga Division, for supporting convictions in criminal appeals during the period between March 1924 and April 1926, I have the honour to state that from references available in this office it is gathered that remuneration was paid to the Public Prosecutor, for supporting convictions in the marginally noted criminal appeals before the Sessions Judge, Shimoga, the amount of the bill being noted against the cases.

1.	Appl. No. 7/23-24	(Oolija)	
2.	" 9/23-24	(Siddappa)	
3.	" 10/23-24	(Kamruddin)	
4.	" 11/23-24	(Magappagowda)	
5.	" 2/24-25	(Sivappa)	Rs 172-5-4.
6.	" 1/24-25	(Subbegowda and others)	
7.	" 4/24-25	(Not ascertainable)	

2. The claim in respect of the first six cases was made in December 1924 and that in respect of the remaining case was made in February 1925. The bills were passed by this office and sent to the Comptroller for audit, and eventually returned to the Public Prosecutor, after they were received duly audited.

3. Since rules 55 and 56 of the " Rules for the conduct of the Legal affairs of Government" before amendment in accordance with

Government

WD 0463—GPB—3,00,000—21-7-17—S.

191

From

The District Magistrate,
Kadur District.

To

The Secretary to
the Government of His Highness
the Maharaja of Mysore,
Bangalore.

Dated

Despatched

Received

General No.

No.

Enclosure No.

SUBJECT.

Government Order No. P.5345-52/Legis.48-25-2 dated the 19th April 1926, permitted the payment of remuneration in such cases, it would seem that sanction of Government was not applied for.

I have thehonour to be,

Sir,

Your most obedient servant,

for District Magistrate,
Kadur District.

2538
P 827

J.1- 138 /27-28

Office of the District Magistrate,
Shimoga District,
Dated, Shimoga the 20th November 1927.

From

B.T.Kesavaiengar, Esquire.,B.A.,
Deputy Commissioner & District Magistrate,
Shimoga District.

To

B.Nagappa,Esquire.,Bar-at-law.,
Secretary to Government,
Law Department, Bangalore.

Sir,

With reference to your reminder No.P.2539-41 Law dated 16th November 1927 inviting attention to letter No.2126-8 dated 28-10-27 re the remuneration paid to the Public Prosecutor in criminal appeals, I have the honour to state that he has been requested to furnish the details of the cases in which he was allowed remuneration under the rules then in force and on receipt of which a final reply will be submitted.

I have the honour to be,

Sir,

Your most obedient servant,

Deputy Commissioner & District Magistrate,
Shimoga District.

2576 P&J 27

D. M. 2.
No. L. Dis. No. 1268/27-8
Encs.

Office of the District Magistrate,
Kadur District. 11

Dated Chikmagalur, 20th Nov. 1927.

From H. V. Ramasvami, Esq., M.A., B.L.,
District Magistrate,
Kadur District.

To B. Nagappa, Esq., Bar-at-Law,
Secretary to the Government of
His Highness the Maharaja of Mysore,
Law Department,
Bangalore.

8 P 23/11. R 28/11 Law 28/11

Sir,

In reply to your letter No. P.2539-41/Law dated the 16th instant, I have the honour to state that the information, called for in your letter No. P.2126-8/Law. dated the 28th October 1927, regarding the remuneration paid to the Public Prosecutor, Shimoga Division, for supporting convictions in appeal before the Court of Sessions, was furnished in this office letter No. L.Dis.1268/27-28 dated the 17th instant.

I have the honour to be,
Sir,
Your most obedient servant,

H V Ramasvami
District Magistrate,
Kadur District.

H2

×2477 P&J 27. Sun A 21/11

M.N.S.

2724 1927
12 P 827

Tel: Address:—DISMAG.
Chitaldrug.

In reply, please refer to
No. J.6191-29.28
Enclosures 1 one

OFFICE OF THE DISTRICT MAGISTRATE,
CHITALDRUG DISTRICT.

Dated Chitaldrug, 28th Novr: *1927*

FROM

~~SXAVENKATRANGAM,XESQ,XXBAXBLXX~~

The *District Magistrate,*
Chitaldrug District.

8-0
30/11
TO

The Secretary to Government,
Law Department, Bangalore.

Sir,

Adverting to your letter No.P.2126-8 dated 28th October 1927 calling for particulars regarding the payment of certain bills to the Public Prosecutor, Shimoga, I have the honor to state that the two bills referred to by the Public Prosecutor, Shimoga for Rs 57 and Rs 21 in his letter No.53/Do dated 28th August 1927 which were sent by him to this office along with his letter dated 7th December 1924 were forwarded to the Comptroller in Mysore for pre-audit as per Chief Court Registrar's docket No.D2 Dis.796/24-25 dated 9th January 1925. The said bills having been received duly passed for payment were sent to Public Prosecutor, Shimoga in this office No.A.14410 dated

No. B dis 796 dated 9th Jan 1925

Docket from the Registrar, Chief Court of Mysore to the District Magistrate, Chitaldrug.

In returning herewith the two bills of the Public Prosecutor, Shimoga, received with his letter No.A.11108 dated the 3rd January 1925, has the honor to point out that they may be sent on by him to the Comptroller for audit, debiting the amounts thereof under 18 courts of law - 2 Law Officers - Fees to Advocates and other Law charges for 24-2 which item is held in lump sum towards expenditure of such nature of all courts in the State and is not distributed among them by this office.

"C O P Y."

For District Magistrate,
Chitaldrug District.

18/6

14 2925 P 827

No.L.Dis.J.1. 138/27-28.

Office of the District Magistrate,
Shimoga District.
Shimoga, dated, 9th December 1927.

From

B.T. Kesavaiengar, Esq., B.A.,
District Magistrate,
Shimoga District.

To

B. Nagappa, Esq., Bar-at-law,
Secretary to Government,
Law Department,
Bangalore

Sir,

With reference to your letter No.P. 2126-8(1) Law dated 28th October 1927, calling for the particulars of the amount claimed and paid to the Public Prosecutor, Shimoga, during the period between March 1924 and April 1926 on account of remuneration for supporting convictions in Criminal Appeals before the Sessions Judge, etc., I have the honour to forward herewith a list of cases in which he was allowed fees under Rule 56 of the Rules for the conduct of the Legal Affairs of Government. The bills were countersigned and returned to him and it is learnt that they were pre-audited by the Comptroller before encashment.

2. From the date of Government Order amending the said rule no amount was allowed to him (vide No. 5345-52/Legis. 48-25-2 dated 19-4-1926)

I have the honour to be,
Sir,
Your most obedient servant,
G. Krishnarao
FOR DISTRICT MAGISTRATE.
(Absent on tour)

Statement of Criminal Appeals Cases in which the Public Prosecutor, Shimoga, was allowed remuneration under Rule 56 of the Rules for the conduct of Legal Affairs of Government.

Date of encashment.	Year.	Appeal No.	Name of appellant.	Amount paid.
15-12-1924	23-24	11	Gowda Kariappa	26- 5- 0
	23-24	12	Rangappa	26- 5- 0
	24-25	2	Dyava and 2 others	21- 0- 0
	24-25	4	Abdul Gani	26- 0- 0
	24-25	5	Kample Naika and 2 others.	21- 0- 0
	23-24	10	Raja Sab	26- 0- 0
11- 2-1925	23-24	13	Fakira	37- 0- 0
26- 2-1925	24-25	6	Sivappa Gowda	42- 0- 0
4- 7-1925	24-25	11	Bastian	10-10- 8
	24-25	10	Subba	10-10- 8
	24-25	9	Kencha	16- 0- 0
27- 8-1925	24-25	1	Ayyakannu pillay	37- 0- 0
7-10-1925	25-26	2	Mudi Gowda	26- 0- 0
23-12-1925	25-26	4	Hussein Bi	21- 0- 0
18- 1-1926	25-26	6	Tirumala Rao.	21- 0- 0
12- 2-1926	25-26	7	Settappa and Nagappa.	21- 0- 0
23- 2-1926	25-26	9	Patel Rudrappa	37- 0- 0
23- 3-1926	25-26	11	Malla Karki.	26- 0- 0
			TOTAL.	451-15- 4

G. Krishna Rao

Ag. District Magistrate
& Shimoga District

17 4957/P&D

OFFICE OF THE COMPTROLLER TO THE GOVERNMENT
OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

No. TAD.A.1426.

Bangalore, dated 5th April *1928.*

From

S. SHAMANNA, Esq., B.A.,
Comptroller to the Government of
His Highness the Maharaja of Mysore,
BANGALORE.

To

B. Nagappa Esq., Bar-at-Law.,
Secretary to the
Government of Mysore,
Law Department,
Bangalore.

Sir,

With reference to your letter No. P.5451/Law. dated 20th March 1928 regarding balance available out of the allotment for 1927-28 for "Fees to Advocates and other law charges" under 18 Courts of Law Offices, I have the honor to state that there remains a balance of Rs.18-8-4 only. Three bills for Rs.16/- each sanctioned in Government Order No. P.5186-8/Law.21-27-4 dated 9th March 1928, have been received for audit. As the balance available is not sufficient to meet the charge in question, the audit of these bills has been kept in abeyance pending sanction to an additional grant which may kindly be obtained as early as possible and intimated.

I have the honor to be,
Sir,
Your most obedient servant,

for Comptroller.

SAM)

PROCEEDINGS OF THE GOVERNMENT OF H.H.
THE MAHARAJA OF MYSORE.

Law 11-27-6

d:-

Letter No. Gl. 7-27 dated 7th July 1927 from the District Magistrate, Mysore submitting an application from the Public Prosecutor, -- Mysore Division requesting reconsideration of Government Order No. P. 5345-52/Legis.48-25-2 dated 19th April 1926 declining payment of separate remuneration to him for supporting convictions in Criminal appeals before the Court of Session, on the ground that these duties were included in rules 40,41 and 46 of the rules issued with Government Order No. P. 4966-5045/Cts 76-23-10 dated 19th March 1924.

ORDER No. P 7055-64 / Law

Dated, 28/5/1928.

It is part of the ordinary duties of a Public Prosecutor to support convictions in Criminal appeals before the Sessions Court of the Division and no separate remuneration for such services is admissible. The Public Prosecutor, Mysore Division, however, represent that his claims which have been disallowed relate to services rendered by him before this point was made clear and the rules -- relating to the conduct of legal ~~officers~~ affairs were amended by the G.O. of 19th April 1926 ~~referred to~~ read above. It is also understood

that

that similar claims preferred in the past by the Public Prosecutor of the Shimoga - Division have been admitted. In consideration of these circumstances the three bills for Rs. 32/-.Rs.104-10-8 and Rs. 877-10-8 (722?) -- submitted by the Public Prosecutor, Mysore Division are sanctioned as a special case, and forwarded to the Comptroller for audit and payment.

2. As it is reported that the current year's budget provision for "Fees to Advocate and other Law Charges" is exhausted a demand for an additional grant to cover this expenditure will be made at the next meeting of the Legislative Council.

the bills will be paid after making necessary provision in the next year's budget.

Secretary to Govt.
Law Deptt.

To

The District Magistrate, Mysore District
The District Magistrates of other Dts.
The Registrar, Chief Court.
The Comptroller through the Fin' Secty

c.n.

Exhs 20

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Read:—

Letter No.Gl. 7-27 dated 7th July 1927 from the District Magistrate, Mysore submitting an application from the Public Prosecutor, Mysore Division, requesting reconsideration of Governme Order No.P.5346-52/Legis.48-25-2 dated 19th April 1926 declining payment of separate remuneration to him for supporting convictions i Criminal appeals before the Court of Session, on the ground that the duties were included in rules 40,41 and 46 of the rules issued with Government Order No.P. 4966-5045/Cts. 76-23-10 dated 10/19th March 1924.

O r d e r,No.

Dated, Bangalore the May 19 8.

It is part of the ordinary duties of a Public Prosecutor to support convictions in Criminal appeals before the Sessions Court of the Division and no separate remuneration for such services is admissible. The Public Prosecutor, Mysore Division, however, represents that his claims which have been disallowed relate to services rendered by him before this point was made clear and the rules relating to the conduct of legal affairs were amended by the Government Order of 19th April 1926 read above It is also understoo that similar claims preferred in the past by the Public Prosecutor of the Shimoga Division have been admitted. In consideration of these circumstances the bare bills for Rs.32/- Rs.~~10-4~~ 10-10-8 and Rs. ~~8-2~~ 377(8)2-10- submitted by the Public Prosecutor, Mysore Division, are sanctioned a as special case, and forwarded to the Comptroller for audit and payme

2. As it is reported that the current year's budget provision for "Fees to Advocates and other Law Charges" is exhausted, the bills will be paid after making necessary provision in the next year's budg

For Secretary to Government,

Law Department.

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE.

The District Magistrate, Mysore District.
The District Magistrates of other District.
The Registrar, Chief Court.
The Comptroller to Govt, through Financial Sectt.

Read:

21 6 02

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

No. 2287/Books

Comptroller's Office, Bangalore,

Dated the 21st June *192 8*

B. Nagappa Esq., Bar-at-Law,
Secretary to the Government of Mysore,
Law Department, Bangalore.

Sir,

With reference to Govt. Order No.P.7055-64/Law dated 28-5-1928 stating that the bills of the Public Prosecutor, Mysore Division, amounting to Rs. 1,014-5-4 referred to therein will be paid after making necessary provision in the Budget for 1928-29, I have the honor to state that no special provision on this account appears to have been included in the Budget of the next year under 18.Courts of Law 2.Law Officers "Fees to Advocates and other Law charges" (Vide page 45 of the Provisional Budget) as the Government Order was received too late in this

L 2 287 of 28

OFFICE OF THE COMPTROLLER TO THE GOVERNMENT
OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

No. TAD.A.Gr.II.24.

Bangalore, dated 14th July *192*8.

From

S. SHAMANNA, Esq., B.A.,
Comptroller to the Government of
His Highness the Maharaja of Mysore,
BANGALORE.

To

The Secretary to the Government of Mysore,
Law Department,
Bangalore.

Sir,

I have the honour to state that ~~the~~ 3 bills for Rs.32/-, Rs.104-10-8 and Rs 877-10-8 stated to have been forwarded to this office for audit and payment with Government Order No.P.7055-64/Law dated 28-5-28 have not been received. As the Public Prosecutor, Mysore is pressing for early payment of the same, I request that you will kindly forward the bills to this office early. The source from which the charge has to be met may also be kindly intimated as provision to meet the same has not been included under "Fees to Advocates and other law charges" in the budget estimates for 1928-29 Government Order having been received late in this office.

I have the honor to be,
Sir,
Your most obedient servant,

For Comptroller.

24 374 / 28

WD 2665—GPB—50,000—1-6-27

192

From

The Public Prosecutor,
Mysore Division, Mysore.

To

The Legal Remembrancer &
Secretary to Government of Mysore, Law
Department, Bangalore.

Dated 20th July 1928.

Despatched

Received

General No. 57/28-29.
No.

Enclosure No.

Sir,

I have the honour to state that on receipt of the copy of the Government Order no., P. 7055-64/Law dated 28-5-28, from the District Magistrate, Mysore, wherein it was stated that my three bills for Rs 32/- Rs 104-10-8 and Rs 877-10-8 being the legal remuneration due to me for services rendered by me in several Criminal Appeals, had been sanctioned by Government and had been sent to the Comptroller for preaudit and authorising payment, I wrote to the Comptroller to kindly expedite the despatch of the same after preaudit. The Comptroller has forwarded to me a copy of his letter addressed to your office, requesting you to forward the bills to his office intimating to him at the same time the source from which payment has to be made. May I request

25

A. P. F. VI. (

SUBJECT.....

.....

.....

Section

File No.

Serial No.

No. 1595

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

the 192

To The Public Prosecutor

Mysore

Date of issue 23/7/28

Signed by Mr NS

Sir,

With reference to your letter No: S7/28-29 dated 20th July 1928, regarding the three bills sanctioned in Government Orders No: P. 7055-64/Law dated 28-5-1928, I am directed to state ~~have the honour to inform you that they~~ bills have been forwarded to the Comptroller for audit and payment, with this Office No P523/ dated 20th July 1928. ~~for audit and payment~~, The Sources from which the Charges have to be

List of enclosures.....

Copied by

Examined by

over

WD 0325—GPB—30,000—26-5-27